

111TH CONGRESS
1ST SESSION

S. 255

To amend the Truth in Lending Act to empower the States to set the maximum annual percentage rates applicable to consumer credit transactions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 15, 2009

Mr. WHITEHOUSE (for himself and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To amend the Truth in Lending Act to empower the States to set the maximum annual percentage rates applicable to consumer credit transactions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Empowering States’
5 Right To Protect Consumers Act of 2009”.

6 **SEC. 2. LIMITS ON ANNUAL PERCENTAGE RATES.**

7 Chapter 2 of the Truth In Lending Act (15 U.S.C.
8 1631 et seq.) is amended by adding at the end the fol-
9 lowing:

1 **“SEC. 141. LIMITS ON ANNUAL PERCENTAGE RATES.**

2 “Notwithstanding any other provision of law, the an-
3 nual percentage rate applicable to any consumer credit
4 transaction (other than a residential mortgage trans-
5 action), including any fees associated with such a trans-
6 action, may not exceed the maximum rate permitted by
7 the laws of the State in which the consumer resides.”.

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